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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,076	06/25/2001	Masayuki Terao	191486/00	7431

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EXAMINER

LEE, HWA C

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 03/11/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,076

Applicant(s)

TERAO ET AL.

Examiner

Hwa C Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This office action is in response to the application no. 09/887,076 filed on June, 25, 2001, wherein Masayuki Terao and Hidehiko Okada are the inventor(s).
2. The application is entitled: "DISPLAY CONROLLER FOR APPLYING DISPLAY EFFECT".
3. Claims 1-10 are pending in the application, wherein claims 1, 3 and 9 are independent claims.

Claim Objections

4. Claims 3 and 5 are objected to because of the following informalities:
"determiner" is misspelled in said claims as "determinor". Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Henshaw, U.S. Patent No., 6,040,833.
7. In regards to claim 1, Henshaw discloses the following limitations:

a display controller

- Method and system for manipulating the display of multiple applications, which are displayed in overlapping windows within a data processing system (Col. 2, lines 43-46) specifically is a display controller. In addition, a method and system for a variable "depth control" within a plurality of overlapping windows is provided (Col. 2, lines 47-49). Controlling the depth of a plurality of overlapping windows specifically is also controlling the display of the plurality of windows.

comprising: a first element, which controls a display to display a screen provided with a first screen region on which a particular display component is to be displayed and a second screen region overlapping at least part of said first screen region;

- As applied above, Henshaw discloses controlling display of multiple applications, which are displayed in a plurality of overlapping windows (Col. 2, line 50 – Col. 3, line 7). Each window is a screen region, wherein the first and second screen regions overlap at least partially.

a second element, which applies display effect to only a screen region of said first screen region without said second screen region overlapped therewith.

- Graphics controls (FIG. 3, No. 50) are also provided for altering the color and/or pattern of a particular window as desired by a user. Changing the color and/or pattern of a window specifically is applying a display effect. In addition, said color and/or pattern can be change for a **particular** window

as desired by a user, and thus the display effect can be applied to one window at a time as desired by the user. The graphics controls specifically allows the user to apply said display effect to only the first window (first screen region) and not the second overlapping window (second screen region).

8. In regards to claim 2, the same basis and rationale for claim rejection as applied to claim 1 are applied.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 3-5 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henshaw in view of Porter, U.S. Patent No., 6,570,595.

12. In regards to claim 3, Henshaw discloses the following limitations:

An information processor comprising:

- FIG. 1 depicts a pictorial representation of a data processing system (FIG. 1, No. 10) comprising a processor (FIG. 1, No. 12), a keyboard (FIG. 1, No. 14), a display device (FIG. 1, No. 16), which includes a display screen (FIG. 1, No. 18), and a graphics pointing device, such as a mouse pointer (FIG. 1, No. 20). Said data processing system comprising a processor specifically is ***an information processor.***

a detector, which detects a particular display component located within a window on a screen;

- Said graphics pointing device is used to graphically select an element within a display screen in a manner well known in the art. Thus, by using a mouse pointer, the user selects an element in a window, which specifically is ***a particular display component located within a window on a screen.*** Selecting a particular display component specifically is detecting the particular display component, and thus the mouse is specifically a ***detector.***

and a display effector, which applies predetermined display effect to said region detected by said visible region determiner.

- Henshaw discloses a display effector as applied to claims 1-2 above. Henshaw discloses displaying multiple application in a plurality of windows but does not specifically disclose the limitation of ***said visible region determiner.***

13. Porter disclose **a visible region determiner, which determines an actually visible region of a region in which said particular display component detected by said detector is to be displayed,**

- Porter discloses a computer system having a display device with a display surface, a portion of the display surface is reserved for an exclusive use, allowing the contents rendered in the reserve are to be persistently visible (Col. 2, lines 1-6). Preserving a portion of the display surface, which allows visible display of the displayed content specifically is **a visible region determiner.**

14. It would have been obvious to one of ordinary skill in the art to take the teachings of Henshaw and to add from Porter the image processing system of displaying an image on a window, wherein the visible region of the destination window is determined. When displaying an image on a window, the visible region must be determined in order to avoid overlapping the images and obscuring the images. Also, the addition of Porter allows images to be displayed in appropriate windows, wherein the content is always visible. Further, all references are directed to controlling displays of multiple display windows.

15. In regards to claim 4, Henshaw and Porter in combination disclose the following limitations.

An information processor as claimed in claim 3, wherein said visible region determiner comprises: a component location detector, which detects a location on said screen of said particular display component detected by

said component detector; and a window location detector, which detects locations of a plurality of windows on said screen and front-behind relationship between said windows; wherein said visible region determiner determines said actually visible region of said region in which said particular display component is to be displayed using result of detection by said component location detector and by said window location detector.

- Henshaw and Porter disclose the limitation of an information processor comprises a visible region determiner as applied to claim 3 above. In order for the visible region determiner to determine the visible region to display a particular component, the location of other components in the target window must be determined. Thus, the result of the component location detector and the window location detector must be used by the visible region determiner in determining the visible region in a window.
- Henshaw is directed to a graphic method and system for manipulating and organizing the display of multiple applications, which are displayed in overlapping windows within a data processing system (Col. 2, lines 43-46).
- In addition, Henshaw discloses the limitation of a mouse pointer, which is used to locate and detect a particular component of a window along with the window itself. In order to select either a particular component of a window or a window, their location must be determined, and the mouse pointer is a standard user interface, which allows the user to locate the

desired graphical objects, such as an icon in a window or a window on a screen.

- Also, Henshaw discloses a depth control system comprising a depth control window (FIG. 3, No. 40), which includes a depth indicator (FIG. 3, No. 42, and a plurality of title bars indicating the relative order of said plurality of windows. Depth indicator (FIG. 3, No. 42) and depth indicia (FIG. 3, No. 46) also aid in indicating the relative depth and order of said plurality of windows, which are updated whenever the depth control icon (FIG. 3, No. 38) is selected by determining which window is open and the relative order of the windows. The alternation of displays within a display screen can be accomplished by altering the order and location of said plurality of windows (Col. 4, lines 44 Col. 5, line 9). Thus, the mouse pointer and the depth control system in combination specifically are a component location detector and a window location detector.
- Further, said method and system disclosed by Henshaw also provides a “depth” control within a plurality of overlapping windows (Col. 2, lines 47-49). Thus, said method and system allows for manipulation of the display of multiple windows in overlapping fashion and determines the depth order of said multiple windows from bottom to top (Col. 2, line 50 – Col. 3, line 7 and Col. 4, lines 44-66). Since, the depth control allows for determination of the depth order of said multiple windows, the front-back relationship between said multiple windows is also determined.

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16. In regards to claim 5, the same basis and rationale for claim rejection as applied to claims 3-4 above are applied to reject the following:

An information processor as claimed in claim 3, further comprising: a screen change detector, which detects a change in said screen, when said screen change detector detects a change in said screen, said visible region determiner determines said actually visible region of said region in which said particular display component is to be displayed.

- As applied to claims 3-4 above, Henshaw discloses determining which window is open, the relative location of said plurality of windows, and altering the display windows displayed in a display screen, which specifically are changes in the screen. The depth control icon and the depth control window detects the changes of said screen by updating the depth indicator, depth indicia, and the title bars representing the relative order of windows. When the system determines which window is open (detection of a change in screen), then said visible region determiner displays an application in the open window by determining the visible region of said region since only the open window is fully visible on the screen.

17. In regards to claim 7, the same basis and rationale for claim rejection as applied to claims 1-3 are applied.

18. In regards to claim 8-9, the same basis and rationale for claim rejection as applied to claims 1-4 are applied.

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19. In regards to claim 10, the same basis and rationale for claim rejection as applied to claims 1-4 are applied. In addition, Henshaw discloses using a computer readable code (software) to implement the method and system of a display control (Col. 4, lines 4-21). Said software specifically is a **computer program capable of running on a computer so that the computer performs said steps of claim 8.**

20. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henshaw in view of Porter, as applied to claims 3-5 and 7-10 above, and further in view of Taylor, U.S. Patent No., 6,118,461.

21. In regards to claim 6, Henshaw and Porter disclose the limitation of an information processor as applied to claim 3 above, but do not disclose the limitation of **an information processor as claimed in claim 3, wherein said display component is a moving picture.**

22. Taylor discloses said limitation of displaying a moving picture.

- A display control unit (FIG. 2B, no. 103) controls the display of multiple overlapping windows or a region of the display screen, wherein full motion video is displayed on each window (Col. 5, lines 51-62).

23. It would have been obvious to one of ordinary skill in the art to take the teachings of Henshaw and Porter and to add from Taylor the display controller, which allows the display of a moving picture in order to allow the information processor to display all forms of applications in the plurality of windows. Display of a moving picture allows the system to participate in a video conferencing, wherein the participants can visually communicate with each other in one display window and display other information in the

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other windows. In addition, all references are directed to controlling displays of multiple display windows.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwa C Lee whose telephone number is 703-305-8987. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 703-305-3885. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


**JOSEPH MANCUSO
PRIMARY EXAMINER**

Hwa C Lee
Examiner
Art Unit 2672

HCL